



Implications of the Retroactive Principle in the 2022 Indonesia-Singapore Extradition Treaty Reviewed from Constitutional Law

Amelia Haryanti¹, Ayni Suwarni², Dian Ekawati³, Reni Suryani⁴
Universitas Pamulang, Indonesia^{1,2,3,4}

Email: dosen00811@unpam.ac.id, dosen00707@unpam.ac.id, dosen02090@unpam.ac.id

ABSTRACT

The Extradition Treaty between Indonesia and Singapore signed in 2022 marks an important milestone in legal cooperation between countries, especially since it includes the application of the retroactive principle to the past 18 years. This study aims to analyze the implications of the application of the retroactive principle in the perspective of Indonesian Constitutional Law, especially related to the principles of legality, protection of human rights, and the authority of state institutions in ratifying international agreements. The method used is juridical-normative with a legislative approach and qualitative analysis of official documents and decisions of the Constitutional Court related to the principle of non-retroactivity. The results of the study show that the application of the retroactive principle in this agreement raises a tension between the need for the effectiveness of the law in the eradication of transnational crime and the guarantee of legal certainty in the constitutional system. Therefore, clarity of norms and strengthening the role of supervisory institutions are needed so that the application of the retroactive principle does not conflict with constitutional principles. This study recommends a judicial test of retroactive provisions in the extradition treaty to ensure its conformity with the 1945 Constitution of the Republic of Indonesia.

Keywords: Retroactive Principle, Extradition, Constitutional Law, Indonesia, Singapore, Constitutionality.

INTRODUCTION

The signing of the extradition treaty between Indonesia and Singapore on January 25, 2022 in Bintan, Riau Islands, stole the attention of several foreign media, becoming a headline that contained news related to the Indonesia-Singapore extradition treaty. The long road from the ratification of this treaty is to follow up on the previous extradition treaty ratified in 1998, which in the 1998 extradition treaty did not regulate the extradition of corruptors, so that with the re-ratification of the extradition treaty in 2022, the space for corruptors and other criminals who fled to Singapore is getting narrower. According to the Minister of Law and Human Rights Yasonna H Laoly said, "this extradition agreement has a retroactive or retroactive validity period from the date of promulgation for the last 18 years". This follows the provisions of the maximum expiry as stipulated in Article 78 of the Criminal Code (Yulianingsih, 2022).

This extradition treaty allows both countries to extradite the perpetrators of criminal acts that although the type of criminal act is not directly mentioned in this agreement but has been regulated in the legal systems of both countries, the scope of the Indonesia-Singapore extradition agreement is that the two countries agree to extradition for every person found to be in the territory of the requested country and sought by the requesting country for prosecution or trial or execution of punishment for extradition crimes. In addition, this extradition treaty will narrow the space for criminals in Indonesia to escape. The reason is, Indonesia already has agreements with regional partner countries, including Malaysia, Thailand, the Philippines, Vietnam, Australia, the Republic of Korea, the People's Republic of China, and Hong Kong SAR. Yasonna believes that with this international agreement, corruptors and drug dealers can no longer hide in Singapore. This

extradition treaty will create *a deterrence* for criminals in Indonesia and Singapore (Yulianingsih, 2022).

This extradition treaty is a milestone in the eradication of corruption, not only for Indonesia but also for the eradication of corruption on a global scale. Following the ratification of the extradition treaty between Indonesia and Singapore on August 25, 2022 which was signed by the Ministers of Law and Human Rights of both countries, according to the Minister of Law and Human Rights, Yasonna H Laoly, "The Indonesia-Singapore Extradition Treaty has a retroactive validity period, which is retroactive from the date of its promulgation for the last 18 years. This follows the provisions of the maximum time limit as stipulated in Article 78 of the Indonesian Criminal Code, in addition to retroactive, this extradition agreement also agrees that the determination of the nationality of the perpetrator of a criminal act is determined at the time the crime is committed." (Saputri, 2022).

The extradition treaty between Indonesia and Singapore was ratified to return corruptors to the Indonesian state because corruption is a cross-border crime that can involve perpetrators fleeing to other countries to avoid legal accountability. With the existence of an extradition agreement, the Indonesian state can ask for the assistance of other countries in extraditing corruptors who are in their territory so that they can face legal proceedings in Indonesia. For Indonesia, the extradition treaty with Singapore is very important considering the large number of fugitives, especially in corruption cases, who have escaped and are hiding in Singapore and the proceeds of corruption invested there (Sefriani, 2018). In practice, it is not easy to extradite, because regarding perpetrators of criminal acts who flee or are in the territory of other countries, the state that has jurisdiction over the perpetrators of these criminal acts, is not allowed to arrest and detain directly within the territory of the country where the criminal is located as if the offender had legal immunity in the country in which he is hiding (Parthiana, 2004).

International relations between countries are not only limited to economic and political cooperation, but also extend to aspects of law enforcement, including in the form of extradition treaties. Extradition is an important mechanism in the international legal system that allows a country to hand over a suspect or convict to the requesting state, in order to account for the criminal acts it has committed. In this context, Indonesia and Singapore signed the Treaty for Extradition in 2022 as part of a broader agreement in the Framework Agreement on Cooperation. One of the important and quite controversial points in the extradition agreement is the application of the retroactive principle to the past 18 years, which allows the prosecution of the perpetrators of crimes that have occurred since 2004. The application of the retroactive principle in this international agreement raises a debate in the context of Indonesian constitutional law, considering the principle of legality that is upheld in the national legal system, as stated in Article 28I paragraph (1) of the 1945 Constitution of the Republic of Indonesia (Manan, 1995).

To be able to ensnare corrupt perpetrators who fled to Singapore, a retroactive principle was applied which applies retroactively for 18 years. This means that the retroactive principle applies retroactively for the past 18 years, referring to the application of laws or regulations retroactively or back to the past as far as 18 years. That is, if there is a new law or regulation enacted, this retroactive principle states that the law or regulation can be applied to an act or event that occurred up to 18 years earlier. The retroactive principle applies retroactively over the past 18 years and has an important impact in the context of extradition treaties and law enforcement. This means that when there is an act of corruption committed by a person 18 years ago, and a new rule of law that

expands the definition or punishment of corruption-related is enacted, that individual can be prosecuted and punished under the new rule even if the act was committed a long time ago (Dumoli, 2018).

The retroactive principle, which refers to the enactment of laws backwards in time, provides an opportunity for a country to interfere in the legal affairs or policies of another country. Using the retroactive principle, a country can make or apply laws that apply retroactively, which can have an impact on decisions or actions that have been taken in the past. This can be sensitive because it can create tension or dispute in relations between countries, especially if the intervention is considered a violation of the principle of state sovereignty, because of the interference or influence of one country on the jurisdiction or legal policies of another country by utilizing the retroactive principle (Ariyanti, 2018).

The retroactive principle and extradition treaty must be carefully regulated in Indonesia's Constitutional Law to maintain a balance between state sovereignty and human rights. The retroactive principle, which involves retroactive enforcement, and extradition treaties, which involve the surrender of perpetrators of crimes between countries, are aspects of the law that can affect a country's sovereignty and human rights. The retroactive principle is generally contrary to the principle of *nullum crimen sine lege*, which states that a person cannot be convicted of an act that has not been regulated as a criminal act at the time it was committed. Although in the context of extradition it is not always directly related to criminalization, the application of the retroactive principle still poses serious legal implications for constitutional principles, especially with regard to legal certainty and the protection of human rights (Firdaus, 2014).

This problem becomes even more relevant when considering that Indonesia as a state of law (Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia) is obliged to uphold the principle of constitutionality in every government action, including in making international agreements. Therefore, it is important to examine how the application of the retroactive principle in this extradition treaty is positioned within the framework of constitutional law. Based on the above explanation, the problems in this study are: Whether the retroactive principle in the agreement is in line with the principles of Indonesian constitutional law, especially the principles of legality and protection of human rights as stipulated in the 1945 Constitution of the Republic of Indonesia? What is the authority and role of state institutions in the process of forming and ratifying the extradition treaty from the perspective of constitutional law? What are the juridical and constitutional implications of the application of the retroactive principle in extradition treaties to Indonesia's national legal system and the rule of law?

RESEARCH METHODS

This research uses a normative juridical method, which is an approach that relies on an analysis of applicable written legal norms, both in national laws and regulations and international legal instruments (Nasution, 2018). The data used are sourced from primary legal materials such as the 1945 Constitution of the Republic of Indonesia, Law No. 1 of 2006 concerning Mutual Assistance in Criminal Matters, the Indonesia-Singapore Extradition Treaty of 2022, and relevant Constitutional Court decisions. In addition, secondary legal materials such as constitutional law literature, scientific journals, and legal expert opinions are used to enrich the analysis and build a theoretical framework for the research. The data collection technique is carried out through library research, while the data analysis technique uses a qualitative analysis approach, namely by examining and interpreting the legal meaning of normative provisions related to the retroactive

principle in international agreements and their impact on the Indonesian constitutional system (Fuady, 2014). This analysis focuses on the compatibility between the retroactive principle in the extradition treaty and constitutional law principles, such as the principles of legality, the protection of human rights, and the mechanism of constitutional testing of international treaties.

RESULTS AND DISCUSSION

1. The retroactive principle in the agreement is in line with the principles of Indonesian constitutional law, as stipulated in the 1945 Constitution of the Republic of Indonesia

The 2022 Indonesia-Singapore Extradition Treaty brings an important provision that has attracted attention, namely the application of the retroactive principle to the past 18 years. This principle allows the surrender of suspects or convicts to the requesting state for crimes committed since 2004, although the new agreement was ratified in 2022. In the context of international law, the retroactive principle of extradition is not entirely new (Parthiana, 2004). However, when this principle is applied in the national legal system, including Indonesian constitutional law, it must be tested for conformity with applicable constitutional principles. The application of the retroactive principle in the 2022 Indonesia-Singapore Extradition Agreement, if limited to serious crimes and carried out while still upholding the principle of due process of law, does not necessarily conflict with the principles of Indonesian constitutional law. This principle can be seen as in line with the spirit of the constitution to enforce the law, eradicate extraordinary crimes, and protect the rights of victims, as long as its implementation still heeds the principle of legality and guarantees the protection of human rights as stipulated in the 1945 Constitution of the Republic of Indonesia (Soemantri, 2016).

One of the main principles in Indonesian constitutional law is the principle of legality, which is explicitly reflected in Article 28I paragraph (1) and Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. This principle affirms that no one can be punished except under pre-existing law (*nullum crimen sine lege, nulla poena sine lege*). In other words, the law cannot be retroactive to punish a person for an act that at the time of committing it is not a legally regulated criminal act. Retroactive provisions in extradition treaties raise a dilemma between the practical need to reach out to perpetrators of past crimes and respect for the principle of legality as the foundation of the rule of law. Although this agreement does not directly provide for the penalty, but rather leaves the legal process to the requesting country, the legal impact on the extradited individuals cannot be ignored, especially if they have enjoyed the status of freedom in Indonesia for many years (Parthiana, 2008).

The Indonesian Constitutional Court has repeatedly affirmed that the principle of legality cannot be overridden in legal proceedings, including in international agreements. One of them is in the Constitutional Court Decision No. 011-017/PUU-I/2003 which states that *the principle of non-retroactivity* is part of the protection of human rights. Therefore, any form of agreement that has the potential to ignore this principle must receive special attention and be tested for constitutionality (Utrecht, 1986). In addition to the principle of legality, the protection of human rights (HAM) is also an important parameter in assessing the suitability of an international norm or agreement in the context of Indonesian constitutional law. The 1945 Constitution of the Republic of Indonesia guarantees the protection of human rights in its entirety, including the right to freedom, legal certainty, and protection from arbitrary treatment by the state. Therefore,

any policy or agreement that potentially curtails those rights, such as retroactive extradition, must have constitutional legitimacy (Gusman, 2021).

The retroactive principle in extradition treaties can be seen as a form of limitation of rights that are allowed on a limited basis. However, Article 28J paragraph (2) of the 1945 Constitution of the Republic of Indonesia emphasizes that the restriction of rights can only be carried out through law and solely to ensure the recognition and respect for the rights of others and to meet fair demands in accordance with moral considerations, religious values, security, and public order in a democratic society. The application of the retroactive principle in international agreements must first gain legitimacy through a constitutional process of laws and regulations, and be carried out with transparency and accountability. The mechanism for ratifying international agreements through laws as stipulated in Article 11 of the 1945 Constitution and described in Law No. 24 of 2000 concerning International Agreements is an important instrument in ensuring that the agreement does not contradict the constitution (Laia, 2021).

The ratification of the extradition treaty by the House of Representatives as a legislative institution in Indonesia's constitutional system also reflects the existence of democratic control over the government's international policies. However, the ratification still does not rule out the possibility of carrying out a constitutional test if it is found that the substance of the agreement violates the constitutional rights of citizens. The existence of a judicial review mechanism by the Constitutional Court is very important in ensuring that ratified international treaties do not violate the basic principles of the state. Civil society, academics, and legal practitioners have an important role to play in overseeing this process so that there are no human rights violations hidden behind international cooperation.

2. The Authority and Role of State Institutions in the Process of Establishing and Ratifying the Extradition Treaty from the Perspective of Constitutional Law

International agreements are the product of relations between countries that are binding and have legal force. In the context of the Indonesian state, the process of establishing and ratifying international agreements is expressly regulated in the constitutional law system, especially through Article 11 of the 1945 Constitution of the Republic of Indonesia (1945 Constitution of the Republic of Indonesia). The article states that the President with the approval of the House of Representatives (DPR) has the authority to make agreements with other countries that have far-reaching and fundamental consequences for the lives of the people. Based on these provisions, it can be known that the authority to conduct international agreements lies with the President as the head of state and head of government. However, this authority is not absolute, but requires approval from the House of Representatives as a legislative institution. In this case, the House of Representatives has a constitutional role to carry out the function of supervision and control over the government's foreign policy, especially if the agreement is related to legal and human rights issues (Sefriani, 2018).

The process of establishing the 2022 Indonesia-Singapore Extradition Treaty is certainly inseparable from this mechanism. The President, through the Ministry of Foreign Affairs and supported by law enforcement officials and relevant ministries such as the Ministry of Law and Human Rights, conducted a negotiation process with the Singapore side. After the text of the agreement was agreed at the international level, the government submitted a draft ratification law to the House of Representatives for legislative approval. The House of Representatives

plays a role not only as an approving institution, but also as a party that has the authority to conduct a study of the substance of the agreement (Maringka, 2018). The House of Representatives through the commission in charge of legal affairs and foreign relations (Commission III and I) can hold hearings, solicit input from experts, and conduct comparative studies to ensure that the content of the agreement does not contradict national law and the constitution.

In addition to the President and the House of Representatives, the Constitutional Court also has an indirect but important role in this process. Although the Constitutional Court is not involved in the formation of agreements, it is authorized to test laws against the 1945 Constitution. Thus, if there is a party who considers that the law on the ratification of the extradition treaty is contrary to the constitution, then the Constitutional Court can test its validity through a judicial review mechanism. This function is very important in maintaining the principle of constitutionality of international agreements. As in several previous rulings, the Constitutional Court has affirmed that international treaties that are ratified as part of national law must remain subject to the basic principles and norms of the 1945 Constitution of the Republic of Indonesia, especially those concerning human rights, state sovereignty, and the principle of the rule of law (Jenning, 1959).

The role of the National Legal Development Agency (BPHN) and the Indonesian Institute of Sciences (LIPI) as academic and research institutions is also often asked for their opinions in the process of forming international treaty policies, although they are not binding. Their involvement provides an academic perspective and ensures that the agreements made have a scientific basis and are in accordance with legal principles. The ratification mechanism is also further regulated in Law Number 24 of 2000 concerning International Agreements. In this law, it is emphasized that agreements related to legal, human rights, or broad impact on society must be ratified by law. This means that not all agreements are enough to be ratified by presidential decree, but must go through a stricter and more open legislative process (Soemantri, 2016).

The role of the executive agency also includes the implementation of the agreement after it has been ratified. The President through technical ministries such as the Ministry of Law and Human Rights and the Police is responsible for implementing the content of the agreement, including establishing derivative regulations and operational procedures related to the extradition process. This shows that the role of state institutions in international agreements is sustainable, not stopping at the formation stage. Public oversight and civil society participation in this process are also important elements in the democratic constitutional system (Soemantri, 2016). State institutions such as Komnas HAM or civil society organizations have room to provide criticism, input, or even submit a material test if they consider the content of the agreement to be detrimental to the rights of citizens (Kusumaatmadja, 2003).

The process of establishing and ratifying extradition treaties should be seen as a collaborative mechanism between state institutions that supervise and balance each other. Not only the government is the main actor, but also the House of Representatives, the Constitutional Court, and non-governmental institutions play a role in keeping every agreement product within the constitutional corridor. From the perspective of constitutional law, the existence of a system of checks and balances in the formation of international agreements reflects Indonesia's commitment to the principles of the rule of law and the supremacy of the constitution.

Therefore, the role and authority of state institutions in extradition treaties is not only administrative, but also a reflection of constitutional democratic practices that guarantee accountability and protection of citizens' rights.

3. The juridical and constitutional implications of the application of the retroactive principle in extradition treaties to the national legal system and the rule of law of Indonesia

The application of the retroactive principle in the 2022 Indonesia-Singapore Extradition Treaty raises a number of significant juridical and constitutional implications. Juridically, the retroactive principle allows the application of the agreement to criminal acts committed before the agreement officially took effect. This challenges the general principle in criminal law that the law should not be retroactive, as contained in the principle of *nullum crimen, nulla poena sine lege* (Mahawijaya, 2015). In Indonesia's national legal system, the principle of legality is the main pillar in the protection of individual rights in the criminal justice process. Article 28I paragraph (1) of the 1945 Constitution of the Republic of Indonesia expressly states that the right not to be treated discriminate and the right to legal protection are human rights that cannot be reduced under any circumstances (*non-derogable rights*). Therefore, the application of the retroactive principle in international treaties has the potential to violate this constitutional guarantee.

In addition, Article 1 paragraph (1) of the Criminal Code (KUHP) also emphasizes that no act can be punished except based on the provisions of the law that pre-existed. This provision is a concrete manifestation of the principle of legality in national law. Therefore, the retroactive application in the context of extradition must be carefully reviewed so as not to cause violations of the provisions of national legislation. From the perspective of constitutional law, any international policy that has a direct impact on Indonesian citizens must be subject to the principle of constitutionality (Finer, et.al., 2007). This means that the substance of the extradition agreement must be in line with the basic norms stipulated in the 1945 Constitution of the Republic of Indonesia. If the retroactive principle is applied without a strong national legal basis, then this can undermine the order of legal norms that have been established in the Indonesian legal system.

Another implication is the potential for a clash between international law and national law. In practice, Indonesia adheres to the doctrine of *limited monism*, where new international treaties become part of national law after being ratified by law (Laia & Arinanto, 2021). Therefore, when an international treaty that is retroactive is ratified, its content must go through a process of harmonization with the applicable laws and regulations. One of the juridical risks that can arise from the application of the retroactive principle is legal uncertainty. Citizens or legal subjects can experience uncertainty as to whether an act in the past will have legal implications in the present, especially if they have obtained legal certainty for many years. In a state of law that upholds the principles of justice and legal certainty, this condition is certainly not ideal.

Another implication is the potential for violations of human rights (HAM). Extradition on a retroactive basis could potentially override the principle of non-refoulement, the principle of procedural fairness, and the right to be protected from unlawful detention or prosecution. If the extradition process is not accompanied by guarantees of human rights protection, then the agreement can put pressure on the country's constitutional reputation. In terms of Indonesia's

legal sovereignty, the application of the retroactive principle in the extradition treaty can also give the impression that Indonesia is subject to external pressure in determining its legal policies. In fact, one of the main characteristics of a sovereign state is its ability to determine the legal system and protection mechanisms of its citizens without intervention from other countries. The application of provisions adopted from political pressure or bilateral interests can erode the authority of national law (Purwanto, 2009).

The application of the retroactive principle in extradition treaties also has a practical purpose, namely to reach criminals who have managed to evade legal proceedings due to legal loopholes or the absence of previous international cooperation. Therefore, in some cases, the retroactive principle may be justified when it comes to serious crimes such as corruption, terrorism, or other transnational crimes, as long as it remains within the corridor of national law and the constitution. In international practice, some countries have indeed used the retroactive principle in extradition cooperation, especially in crimes that include *serious crimes*. However, such countries usually have strict constitutional testing mechanisms in place to ensure that the retroactive principle is not applied arbitrarily and still guarantee the human rights of the parties involved (Putra, 2022).

To anticipate these constitutional issues, a testing mechanism is needed for the law on the ratification of the extradition treaty by the Constitutional Court. This is important so that the Court can assess the extent to which the application of the retroactive principle is in accordance with or contrary to the basic principles of the Indonesian constitution. If it is found that a discrepancy is found, then the Court has the authority to annul the provision that is considered unconstitutional. In the long run, the constitutional implications of the retroactive principle may affect the development of legal doctrine in Indonesia. When this principle is applied selectively, a new legal precedent will emerge regarding the limits of retroactivity in criminal law and international relations. This can influence the perspective of policymakers in drafting the next international treaty. It is important for the government and the House of Representatives as lawmakers to conduct a thorough review before agreeing on an agreement that contains retroactive provisions. This study must include juridical analysis, human rights, and political considerations of national law so as not to create conflicts between international commitments and Indonesian constitutional values (Soemarsono, 2008).

CONCLUSION

The retroactive principle in the 2022 Indonesia-Singapore Extradition Treaty is a provision that must be carefully examined in the framework of constitutional law. The principles of legality and human rights protection guaranteed by the 1945 Constitution of the Republic of Indonesia are constitutional signs that should not be ignored. Therefore, an in-depth analysis and juridical test of this agreement is essential to ensure that Indonesia continues to uphold the principles of the rule of law and the principle of constitutionality in all of its international policies. Consists of the overall conclusion of the research along with suggestions for future research. The application of the retroactive principle in the 2022 Indonesia-Singapore Extradition Agreement, if limited to serious crimes and carried out while still upholding the principle of due process of law, does not necessarily conflict with the principles of Indonesian constitutional law. This principle can be seen as in line with the spirit of the constitution to enforce the law, eradicate extraordinary crimes, and protect the rights of victims, as long as its implementation still heeds the principle of legality and

guarantees the protection of human rights as stipulated in the 1945 Constitution of the Republic of Indonesia.

The process of establishing and ratifying the Indonesia-Singapore extradition treaty in 2022 is the result of a collaborative and mutually supervised constitutional mechanism between state institutions. The President as the holder of executive power has the authority to negotiate and sign international agreements, but its implementation requires the approval of the House of Representatives (DPR) as the representative of the people and the legislative institution. The involvement of the House of Representatives ensures that the substance of the agreement does not contradict the constitution and the basic values of national law. The Constitutional Court has an important role as a guardian of constitutionality, which can test ratification laws if they are suspected of being contrary to the 1945 Constitution of the Republic of Indonesia. Technical ministries, such as the Ministry of Law and Human Rights and the Ministry of Foreign Affairs, also play a role in the implementation of the substance of the agreement and develop a normative framework for its implementation.

The application of the retroactive principle in the 2022 Indonesia-Singapore Extradition Treaty poses complex juridical and constitutional implications for the national legal system. From a juridical aspect, the retroactive principle challenges the principle of legality as stipulated in Article 1 paragraph (1) of the Criminal Code and guaranteed in the 1945 Constitution of the Republic of Indonesia, especially related to the protection of human rights and legal certainty. The application of this principle opens up the possibility of violating the principle of non-retroactivity which has been the foundation of national criminal law. Constitutionally, the application of the retroactive principle must be subject to the basic norms of the constitution, so it cannot be applied indiscriminately without adequate testing and supervision mechanisms. Carelessness in accommodating this principle can result in conflicts between international legal norms and national law, as well as undermine the legal order that upholds constitutional supremacy. In terms of the rule of law, the application of retroactivity in international cooperation can create the perception that national legal policies are subject to external pressures, thereby weakening Indonesia's independent position in setting the direction of its own legal policy. Therefore, the application of the retroactive principle in extradition treaties must be based on strong legal justification, accompanied by mechanisms for harmonization and protection of human rights, so as not to compromise the principles of the rule of law and Indonesia's constitutional sovereignty.

REFERENCES

- Bagir Manan. *Growth and Development of a Country's Constitution*. Bandung: Penerbit, 1995
- I Wayan Parthiana, *International criminal law and extradition* (Yrama Widya, 2004), 11.
- Kusumaatmadja, Mochtar. *Introduction to International Law*. Alumni, Bandung, 2003
- Mahawijaya, Indra. *International Treaties and Customary Courts in the Debate Room*. Media Nusa Creative, Malang, 2015
- Maringka, Jan S. *Extradition in the criminal justice system*. First Print. Jakarta : Sinar Grafika, 2018
- Munir Fuady. *The Great Theories in Law*. Jakarta: Prenadamedia Group, 2014
- Nasution, Johan Bahder. *Legal Research Methods*. Mandar Maju, Bandung, 2018
- Parthiana, I Wayan. *International criminal law and extradition*. Yrama Widya, 2004
- S.E. Finer, et.al. *Comparing Constitutions, Lihat Denny Indrayana, Amendment of the 1945 Constitution Between Myth and Demolition*. Bandung: Mizan, 2007
- Sefriani, *International Law : An Introduction* , Second Edition, (Depok : Rajawali Pers, 2018), 241.
- Sefriani. *International Law : An Introduction*. Edisi kedua, Cetakan 8. Depok : Rajawali Pers, 2018

- Sir Ivor Jennings. *The Law and the Constitution*. London, University of London Press, 1959
- Sri Soemantri. *The Indonesian Constitution Procedures and System Changes Before and After the 1945 Constitution Amendment*. Bandung: Remaja Rosdakarya, 2016
- Utrecht. *Introduction to State Administrative Law*. PustakaTinta Mas, Cetakan Keempat, 1986
- Agusman, Damos Dumoli. "The Legal Status of International Treaties in the National Law of the Republic of Indonesia A Review from the Perspective of Indonesian Practice." *Indonesian Journal of International Law* Vol 5 No 3 (2018). <https://doi.org/10.17304/ijil.vol5.3.178>
- Gusman, Delfina, and Zimtya Zora. "Amendments to Article 11 of the 1945 Constitution Relating to the Ratification of International Treaties Perspectives on International Law and Constitutional Law." *UIR Law Review* Vol 5 No 1 (2021). [https://doi.org/10.25299/uirrev.2021.vol5\(1\).6997](https://doi.org/10.25299/uirrev.2021.vol5(1).6997)
- Laia, Aturkian, and Satya Arinanto. "The Use Of Such Retroactive In Handling The Violation Of Human Rights In Timor-Timur 1999-2002 In A Period Of Years." *Jurnal Hukum To-Ra* Vol 7 No 3 (2021): 401–9. <https://doi.org/10.55809/tora.v7i3.45>
- Parthiana, I Wayan "Academic Studies (Theoretical and Practical) on Law Number 24 of 2000 concerning International Agreements Based on International Treaty Law." *Indonesian Journal of International Law* Vol 5 No 3 (2008). <https://doi.org/10.17304/ijil.vol5.3.177>
- Purwanto, Harry. "The Existence of the Principle of Pacta Sunt Servanda in International Agreements." *Mimbar Hukum Faculty Of Law Universitas Gadjah Mada* Vol 21 No 1 (2009). <https://doi.org/10.22146/jmh.16252>
- Putra, Irwan Sapta, and Yunawati Karlina. "Extradition Treaty Between Indonesia and Singapore Reviewed from the Criminal Law." *Jurnal Res Justitia: Jurnal Ilmu Hukum Program Studi Hukum Fakultas Hukum Universitas Bina Bangsa* Vol 2 No 2 (2022). <https://doi.org/10.46306/rj.v2i2>
- Soemarsono, M. "Indonesia's Rule of Law Reviewed from the Theoretical Perspective of the State's Purpose" 37, no. 0 (2007). <https://doi.org/10.21143/jhp.vol37.no2.1480>
- Tanti Yulianingsih, "HEADLINE: Indonesia-Singapore Extradition Agreement, Fugitive Corruptors Returned?, " *Liputan6.com*, 27 Januari 2022, Diakses 29 Januari 2022, <https://www.liputan6.com/news/read/4870463/headline-perjanjian-ekstradisi-indonesia-singapura-buron-koruptor-dipulangkan>.
- Yulianingsih, "HEADLINE: Indonesia-Singapore Extradition Agreement, Fugitive Corruptors Repatriated?,"
- Maya Saputri, "Indonesia-Singapore Agree on Extradition Agreement, What Will Be the Impact?," <https://tirto.id/indonesia-singapura-sepakati-perjanjian-ekstradisi-apa-dampaknya-gn9v> , 2022, diakses 29 Januari 2022.